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HIGH COURT OF CHHATTISGARH, BILASPUR

Civil Revision No.34 of 2007

Single Bench: Hon'ble Shri Dilip Raosaheb Deshmukh, J.

Applicant/Plaintiff	:	Shyam Sunder Deepak, S/o Late Shri Aritmal Warlyani, Aged about 67 years, R/o Jarahabhata, Warehouse Road, Bilaspur (C.G.)
		VERSUS
Non-applicant Defendant	:	Food Corporation of India, Through District Manager, Food Corporation of India, Link Road, Bilaspur.

Shri Malay Kumar Bhaduri, Counsel for the applicant/plaintiff

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ORDER

(Passed on 03.04.2007)

Heard on admission.

2. The applicant/plaintiff is aggrieved by the judgment and decree dated 05.09.2006 passed by the Additional District Judge, Bilaspur in Civil appeal No. 1B of 2005 whereby the Civil Suit No.51-B of 2004 for recovery of arrears amounting to Rs.3,562.30 has been dismissed vide judgment and decree dated 27.07.2005 by 7th Civil Judge, Class-II, Bilaspur. Both the Courts below have held that the plaintiff did not work as Asstt. Grade-II from 20.02.1973 to 14.05.1979 and took over charge as Asstt. Grade-II on 14.05.1979 and thus was not entitled to difference of pay from 20.02.1973 to 14.05.1979. Since the appointment of the plaintiff as Asst. Grade-II was purely on notional basis from 20.02.1973, he was not entitled to arrears for the period of 20.02.1973 to 14.05.1979.

3. I have perused the judgment passed by the 7th Civil Judge Class-II, Bilaspur as also the judgment passed in Civil Appeal No. 1-B of 2005 and I am of the considered opinion that no ground whatsoever is made out for interference in the impugned judgment in exercise of revisional jurisdiction.

4. This Civil Revision being devoid of merits is dismissed at the stage of admission.

Sd/-
Dilip Raosaheb Deshmukh
Judge

Ayam